

WEST VALLEY CITY, UTAH

RESOLUTION NO. 08-157

A RESOLUTION AUTHORIZING THE CITY TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH WESTON AND PATTY MCLACHLAN FOR PROPERTY IDENTIFIED AS PARCEL NO. 21-04-303-030 LOCATED AT 4499 SOUTH 3200 WEST, AND TO ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT.

WHEREAS, the City plans to construct the 3200 West Sidewalk Project from approximately 4499 South to 4501 South which will include sidewalk, asphalt tie-in, and restoration of landscaping; and

WHEREAS, the Weston and Patty McLachlan own property identified as Parcel No. 21-04-303-030 located at 4499 South 3200 West which will be affected and benefitted by the Project; and

WHEREAS, a Right-of-Way Agreement ("Agreement") has been prepared for execution by and between West Valley City and Weston and Patty McLachlan. The agreement sets forth the rights, duties and obligations of each of the parties with respect to the conveyance of property and construction of improvements; and

WHEREAS, Weston and Patty McLachlan have executed a Warranty Deed conveying said right-of-way to the City, subject to the City entering into said Agreement; and

WHEREAS, Weston and Patty McLachlan have signed a Grant of Temporary Construction Easement to allow for construction of said project across the frontage of this parcel; and

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to execute said Agreement for and on behalf of West Valley City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City that the Agreement is hereby approved, and that the Mayor is authorized to execute said Agreement for and on behalf of West Valley City.

BE IT FURTHER RESOLVED, that, upon execution of said Agreement, the Mayor is authorized to accept and the City Recorder is authorized to record said Warranty Deed and Temporary Construction Easement for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2008.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER